IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7725 of 2007()

CMP.3362/2007 of J.M.F.C., MANNARKAD
CRIME NO.80/2007 OF SHOLAYUR POLICE STATION

.....

: PETITIONER/ACCUSED

JOY, S/O.JOSEPH ,AGED 45 YEARS,
THAIKOTTATHIL VEEDU, MOOCHIKADAVU,
SHOLATYU VILLAGE.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR , HIGH COURT OF KERALA
ERNAKULAM REPRESENTING C.I. OF POLICE
AGALI POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7725 of 2007

Dated this the 14th day of December 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to keep in his possession and transport 20 litres of arrack in a tyre tube which he was carrying with him. He was arrested on 23/11/2007 and continues in custody from that date. He has no history of any criminal antecedents, reports the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 28/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007